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SENATE BILL 417

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

MARY JANE M. GARCIA

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

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5
6 February 17, 1998

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8 Mr. President:

9
10 Your PUBLIC AFFAIRS COMMITTEE, to whom has been
11 referred

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13 SENATE BILL 417

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15 has had it under consideration and reports same with
16 recommendation that it DO NOT PASS, but that

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19 SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
20 SENATE BILL 417

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22 DO PASS, and thence referred to the COMMITTEES' COMMITTEE.

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24 Respectfully submitted,

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Shannon Robinson, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: Feldman, Garcia, Rodarte, Smith, Robinson

No: None

Excused: Adair, Boitano, Ingle, Vernon

Absent: None

S0417PA1

1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998
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6 February 18, 1998
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8 Mr. President:
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10 Your COMMITTEES' COMMITTEE, to whom has been referred
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12 SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
13 SENATE BILL 417
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16 has had it under consideration and finds same to be GERMANE, in
17 accordance with constitutional provisions, and further recommends
18 that it now be referred to the FINANCE COMMITTEE.
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20 Respectfully submitted,
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Manny M. Aragon, Chairman

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

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1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

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6 February 17, 1998

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8 Mr. President:

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10 Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

11
12 SENATE BILL 417

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14 has had it under consideration and reports same with recommendation
15 that it DO NOT PASS, but that

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18 SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR

19 SENATE BILL 417

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21 DO PASS, and thence referred to the COMMITTEES' COMMITTEE.

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23 Respectfully submitted,

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Shannon Robinson, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against
Yes: Feldman, Garcia, Rodarte, Smith, Robinson
No: None
Excused: Adair, Boitano, Ingle, Vernon
Absent: None

S0417PA1

SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
SENATE BILL 417

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
ENACTING THE LONG-TERM CARE SERVICES ACT; DEVELOPING AN
INTEGRATED LONG-TERM CARE SERVICE DELIVERY SYSTEM; MAKING AN
APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE. -- This act may be cited as the
"Long-term Care Services Act".

Section 2. DEFINITIONS. -- As used in the Long-term Care
Services Act:

A. "consumer" means a long-term care service
recipient who has a physical or mental illness, injury or
disability or who suffers from any cognitive impairment that
restricts or limits the person's activities of daily living or
instrumental activities of daily living and who is under the

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care of a provider;

B. "long-term care" means home- or community-based care provided to a consumer that is designed to maintain the consumer's independence and autonomy in the consumer's residence and includes support services such as personal, respite, attendant, residential or institutional care; case management; services such as meals, homemaker, home repair, transportation, companion, adult day health care, emergency response or day habilitation; physical, occupational or speech therapy; nursing; or help with chores;

C. "residence" means a consumer's home, an independent living center, an adult day health care facility, a community center, an assisted living facility, an adult residential care facility, a nursing home or a senior citizen center; and

D. "service delivery system" means a unified statewide, comprehensive home- and community-based service delivery system that integrates and coordinates all health, medical and social services that meet the individual needs of consumers and support them in remaining in their own homes and communities.

Section 3. INTERAGENCY COMMITTEE CREATED-- COORDINATED SERVICE DELIVERY SYSTEM - LEAD AGENCY-- SERVICE DELIVERY SYSTEM --

A. The "interagency committee on long-term care" is created.

B. Members of the interagency committee on long-term care shall be the heads of the following agencies or their

1 designated representatives:

- 2 (1) the state agency on aging;
- 3 (2) the human services department;
- 4 (3) the department of health;
- 5 (4) the children, youth and families department;
- 6 (5) the labor department;
- 7 (6) the governor's committee on concerns of the
- 8 handi capped;
- 9 (7) the developmental disabilities planning
- 10 council; and
- 11 (8) the department of insurance.

12 C. The interagency committee on long-term care shall
13 design and implement a coordinated service delivery system that
14 fulfills the legislative mandate to develop a coordinated long-
15 term care system.

16 D. The governor shall appoint a chairperson from the
17 membership of the interagency committee on long-term care.

18 Section 4. SERVICE DELIVERY SYSTEM- -
19 PRINCIPLES. --The interagency committee on long-term care shall
20 take into consideration, within available resources, the
21 following principles in the design, development and
22 implementation of the integrated long-term care delivery system
23 to:

24 A. ensure the dignity and respect of consumers in the
25 treatment and support provided;

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1 B. tailor home- and community-based long-term care
 2 services and programs to provide full access and coordination to
 3 meet the individual needs of consumers;

4 C. develop and provide home- and community-based long-
 5 term care services and programs of the highest quality;

6 D. provide for consumer self-determination by providing
 7 options for individual choice and consumer input in home- and
 8 community-based long-term care;

9 E. implement a state policy that defines the state's
 10 obligation regarding long-term care by integrating applicable
 11 state and federal mandates related to long-term care services;

12 F. diversify institutional care options that explore
 13 and enhance appropriate alternatives to institutional care; and

14 G. integrate various funding sources to provide
 15 quality, affordable services to the consumer.

16 Section 5. REPORT. --The chairperson shall present a report
 17 to the legislature on the progress of the interagency committee
 18 on long-term care and the status of the coordinated service
 19 delivery system. The report shall include conclusions and
 20 recommendations to further the work of the interagency committee
 21 on long-term care and to complete the process of integrating the
 22 service delivery system in the state.

23 Section 6. APPROPRIATION. --Twenty-five thousand dollars
 24 (\$25,000) is appropriated from the general fund to the state
 25 agency on aging for expenditure in fiscal year 1999 for the

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SPAC/SB 417

1 purpose of coordinating the work of the interagency committee on
2 long-term care and preparing a report to be presented to the
3 legislature and the governor. Any unexpended or unencumbered
4 balance remaining at the end of fiscal year 1999 shall revert to
5 the general fund.

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